



WESTERN
AUSTRALIAN
GOVERNMENT

Gazette

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041

3757



PERTH, FRIDAY, 27 JULY 2007 No. 153

SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.45 PM

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CHEMISTRY CENTRE (WA) ACT 2007

CHEMISTRY CENTRE (WA) REGULATIONS 2007

Western Australia

Chemistry Centre (WA) Regulations 2007

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Chemistry Centre (WA) Act 2007

Chemistry Centre (WA) Regulations 2007

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council, with the concurrence of the Treasurer.

Part 1 — Preliminary

1. Citation

These regulations are the *Chemistry Centre (WA) Regulations 2007*.

Note: Under the *Interpretation Act 1984* section 25(3) these regulations take effect on the day on which the *Chemistry Centre (WA) Act 2007* section 40 commences.

2. Meaning of Treasurer in these regulations

In these regulations —

“**Treasurer**” means the Treasurer of the State.

Chemistry Centre (WA) Regulations 2007**Part 2** Strategic development plans**r. 3**

Part 2 — Strategic development plans**3. Draft strategic development plan**

- (1) The Board must in each financial year prepare and submit to the Minister for agreement a draft strategic development plan for the Chemistry Centre for the next financial year.
- (2) A draft strategic development plan is to be submitted not later than 6 months before the start of the next financial year.
- (3) For the financial year in which this regulation comes into operation, the Board must, as soon as is practicable, prepare and submit to the Minister for agreement a draft strategic development plan for the Chemistry Centre for the financial year.

4. Period and content of strategic development plan

- (1) The strategic development plan is to cover the forecast period of 5 years commencing at the beginning of the relevant financial year, or a lesser period agreed to by the Minister.
- (2) The strategic development plan must set out the Chemistry Centre's medium to long term objectives in performing its functions under the or any other Act and must cover the following matters —
 - (a) strategic objectives to be achieved during the forecast period including how those objectives will be achieved;
 - (b) operational targets for those objectives;
 - (c) the market environment in which the Chemistry Centre operates;
 - (d) an analysis of significant issues and trends during the forecast period and any major risks;
 - (e) the scope and financial implications of the Chemistry Centre's community service obligations;
 - (f) financial requirements;

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- (g) personnel requirements;
- (h) capital expenditure and investment strategies;
- (i) strategies for asset management;
- (j) the nature and extent of commercial and competitive strategies;
- (k) charging for goods and services;
- (l) pricing principles and strategies;
- (m) sales and revenue projections;
- (n) customer service arrangements;
- (o) compliance with relevant government policies;
- (p) other matters that the Minister and the Board agree should be covered.

5. Strategic development plan to be agreed if possible

The Board and the Minister must try to reach agreement on a strategic development plan as soon as possible and, in any case, not later than one month before the start of the relevant financial year.

6. Minister's powers in relation to draft strategic development plan

- (1) The Minister may return a draft strategic development plan to the Board and request it to —
 - (a) consider or further consider any matter; and
 - (b) deal with the matter in the draft plan accordingly.
- (2) The Board must comply with a request under subregulation (1) as soon as is practicable.

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- (3) If the Board and the Minister have not reached agreement on a draft strategic development plan by one month before the start of the relevant financial year, the Minister may, by written notice, direct the Board —
 - (a) to take specified steps in relation to the draft plan; or
 - (b) to make specified modifications to the draft plan.
- (4) The Board must comply with a direction under subregulation (3) as soon as is practicable.

7. Strategic development plan pending agreement

- (1) In this regulation —

“latest draft plan” means the draft strategic development plan submitted, or last submitted, by the Board to the Minister before the start of the financial year with any modifications made by the Board, whether before or after that time, at the direction of the Minister.
- (2) If the Board and the Minister have not reached agreement on a draft strategic development plan before the start of the relevant financial year, the latest draft plan is to be the strategic development plan for the Chemistry Centre for that year until a draft strategic development plan is agreed to under regulation 8.

8. Minister’s agreement to draft strategic development plan

When the Board and the Minister reach agreement on a draft strategic development plan it becomes the Chemistry Centre’s strategic development plan for the relevant financial year or the remainder of that year (whichever is relevant).

9. Modifications of strategic development plan

- (1) A strategic development plan may be modified by the Board with the agreement of the Minister.

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- (2) The Minister may, by written notice, direct the Board to modify a strategic development plan, and the Board must comply with any such direction.
- (3) Before giving a direction to the Board under subregulation (2), the Minister must consult with the Board and take its views into account.

10. Concurrence of Treasurer

The Minister is not to —

- (a) agree to a draft strategic plan under regulation 8; or
- (b) agree to or direct any modification of a strategic development plan under regulation 9,

except with the Treasurer's concurrence.

Chemistry Centre (WA) Regulations 2007**Part 3** Statements of corporate intent**r. 11**

Part 3 — Statements of corporate intent**11. Draft statement of corporate intent**

- (1) The Board must in each financial year prepare and submit to the Minister for agreement a draft statement of corporate intent for the Chemistry Centre for the next financial year.
- (2) A draft statement of corporate intent is to be submitted not later than 6 months before the start of the next financial year.
- (3) For the financial year in which this regulation comes into operation, the Board must, as soon as is practicable, prepare and submit to the Minister for agreement a draft statement of corporate intent for the Chemistry Centre for the financial year.

12. Period and content of statement of corporate intent

- (1) The statement of corporate intent is to cover the relevant financial year.
- (2) The statement of corporate intent must be consistent with the strategic development plan for the Chemistry Centre.
- (3) The statement of corporate intent must cover the following matters —
 - (a) major initiatives for achieving strategic objectives (in outline);
 - (b) major planned achievements (in outline);
 - (c) operational targets and other measures by which performance may be judged and related to achieving those objectives and planned achievements;
 - (d) proposed arrangements to facilitate achieving of objectives that do not involve making a profit;
 - (e) the nature and extent of activities for which a fee is not to be charged;
 - (f) the cost, method of costing and funding for activities for which a fee is not to be charged;

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Statements of corporate intent **Part 3**

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- (g) the cost, method of costing and funding for Chemistry Centre's community service obligations;
 - (h) the method of compensating the Chemistry Centre for performing its community service obligations and the extent of that compensation;
 - (i) proposed pricing arrangements;
 - (j) operating income and expenditure;
 - (k) capital expenditure and borrowing requirements (in outline);
 - (l) the dividend policy for the financial year or the provision proposed to be made for dividends;
 - (m) reporting on performance in the previous financial year by reference to the previous statement of corporate intent;
 - (n) other matters that the Minister and the Board agree should be covered.
- (4) The Minister may exempt the Chemistry Centre from including any matter, or any aspect of a matter, mentioned in subregulation (3) in the statement of corporate intent.

13. Statement of corporate intent to be agreed if possible

The Board and the Minister must try to reach agreement on a statement of corporate intent as soon as possible and, in any case, not later than the start of the next financial year.

14. Minister's powers in relation to draft statement of corporate intent

- (1) The Minister may return a draft statement of corporate intent to the Board and request it to —
- (a) consider or further consider any matter; and
 - (b) deal with the matter in the relevant draft statement accordingly.

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- (2) The Board must comply with a request under subregulation (1) as soon as is practicable.
- (3) If the Board and the Minister have not reached agreement on a draft statement of corporate intent by one month before the start of the relevant financial year, the Minister may, by written notice, direct the Board —
 - (a) to take specified steps in relation to the draft statement; or
 - (b) to make specified modifications to the draft statement.
- (4) The Board must comply with a direction under subregulation (3) as soon as is practicable.

15. Statement of corporate intent pending agreement

- (1) In this regulation —

“latest draft statement” means the draft statement of corporate intent submitted, or last submitted, by the Board to the Minister before the start of the financial year with any modifications made by the Board, whether before or after that time, at the direction of the Minister.
- (2) If the Board and the Minister have not reached agreement on a draft statement of corporate intent before the start of the relevant financial year, the latest draft statement is to be the statement of corporate intent for the Chemistry Centre for that year until a draft statement of corporate intent is agreed to under regulation 16.

16. Minister’s agreement to draft statement of corporate intent

- (1) When the Board and the Minister reach agreement on a draft statement of corporate intent it becomes the Chemistry Centre’s statement of corporate intent for the relevant financial year or the remainder of that year (whichever is relevant).
- (2) The Minister must within 14 days after agreeing to a draft statement of corporate intent under subregulation (1) cause a

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copy of it to be laid before each House of Parliament or dealt with in accordance with section 36 of the Act.

- (3) The Board may request the Minister to delete from the copy of a statement of corporate intent that is to be laid before Parliament a matter that is of a commercially sensitive nature, and the Minister may, despite subregulation (2), comply with the request.

17. Modification of statement of corporate intent

- (1) A statement of corporate intent may be modified by the Board with the agreement of the Minister.
- (2) The Minister may, by written notice, direct the Board to modify a statement of corporate intent, and the Board must comply with any such direction.
- (3) Before giving a direction to the Board under subregulation (2), the Minister must consult with the Board and take its views into account.

18. Concurrence of Treasurer

The Minister is not to —

- (a) agree to a draft statement of corporate intent under regulation 16; or
- (b) agree to or direct any modification of a statement of corporate intent under regulation 17,

except with the Treasurer's concurrence.

Treasurer.

By Command of the Lieutenant-Governor and deputy of the Governor,

G. M. PIKE, Clerk of the Executive Council.